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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/904,626

07/16/2001

George Foti

LMC 2001-016

2975

7590

08/03/2005

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CANADA

EXAMINER

MOORE JR, MICHAEL J

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,626

Applicant(s)

FOTI ET AL.

Examiner

Michael J. Moore, Jr.

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7 and 12-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7 and 12-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim **12** is objected to because of the following informalities: On line 4, the word “record” before word “resides” should be “records”. Also, on line 5, the word “in” after the word “information” should be “at”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims **1, 3-7, and 12-16** are rejected under 35 U.S.C. 102(e) as being anticipated by Ebata et al. (U.S. 6,708,209) (“Ebata”). Ebata teaches all of the limitations of the specified claims with the reasoning that follows.

Regarding claim **1**, “a network node in an Internet Protocol (IP) network comprising a table, the table comprising a plurality of records, wherein each record associates at least two Policy Enforcement Points (PEP) with a range of IP addresses” is anticipated by the table shown in Figure 4 of Ebata where border routers a1 and a2 (PEPs) of column 50004 are associated with incoming border router IP addresses (range of IP addresses) of column 50005.

Regarding the remaining limitations of claim 1, the use of the phrase "*capable of*" on line 5 is optional language that does not constitute a positive limitation. This optional language does not further limit the scope of this claim. Therefore, the limitations following the phrase "*capable of*" are optional limitations and are not further considered on the merits. See MPEP 2106, II, C.

Regarding claim 3, "wherein the range of IP addresses represents a single IP address" is anticipated by the incoming border router IP addresses (range of IP addresses) of column 50005 that correspond to their respective policy server IP address (single IP address) of column 50003 as shown in Figure 4.

Regarding claim 4, "wherein the network node is a Policy Decision Point (PDP)" is anticipated by the policy server (PDP) shown in Figure 5 containing tables 322a and 321c as spoken of on column 5, lines 57-64.

Regarding claim 5, "wherein the network node resides in a Third Generation Partnership Project (3GPP) network" is anticipated by the network shown in Figure 1 containing policy servers PSa, PSb, PSc, and PSd (elements 10100, 20100, 30100, 40100).

Regarding claim 6, "wherein the network node is an IP Policy Control (IPPC)" is anticipated by the policy server (network node) shown in Figure 5.

Regarding claim 7, "wherein the network node resides in a Proxy Call State Control Function (P-CSCF)" is anticipated by the policy server (network node) shown in Figure 5.

Regarding claim **12**, “a method for updating a table of data records, wherein each of the data records associates an Internet Protocol (IP) address range with a first Policy Enforcement Point (PEP) and a second PEP, and wherein the table of data records resides in a network node” is anticipated by the table shown in Figure 4 of Ebata where border routers a1 and a2 (PEPs) of column 50004 are associated with incoming border router IP addresses (range of IP addresses) of column 50005.

“Receiving from a PEP routing information in the network node” is anticipated by the host messages (routing information) received by each of the policy servers (network nodes) as spoken of on column 9, lines 34-51.

“Extracting, from the routing information, IP addresses assigned to the PEP” is anticipated by the host IP address information contained within the host messages received by the policy servers as spoken of on column 9, lines 34-51.

Lastly, “comparing the received routing information with information stored in at least one data record, wherein the at least one data record has at least one of the PEP and the IP addresses being listed therein; and if needed, updating the at least one data record” is anticipated by a policy server updating its inter-organization link management table 321c by adding the contents of the received inter-organization link management tables (received routing information) from other policy servers as spoken of on column 9, lines 1-15.

Regarding claim **13**, “wherein the network node is a Policy Decision Point (PDP)” is anticipated by the policy server (PDP) shown in Figure 5 containing tables 322a and 321c as spoken of on column 5, lines 57-64.

Regarding claim **14**, “wherein the IP addresses in the routing information are represented by at least one IP address range” is anticipated by the host IP address information contained within the host messages received by the policy servers as spoken of on column 9, lines 34-51.

Regarding claim **15**, “wherein the data record is an entry in a table” is anticipated by the table shown in Figure 4 containing a plurality of records (entries).

Regarding claim **16**, “wherein the routing information is sent using a standard routing protocol” is anticipated by the host IP address information (routing information) contained within the host messages received by the policy servers as spoken of on column 9, lines 34-51.

Response to Arguments

4. Applicant’s amendments to claims **1 and 3-7** to obviate rejection under 35 U.S.C. § 101 are proper and have been entered. These rejections have been withdrawn.

5. Applicant’s arguments with respect to claims **1, 3, and 5-19** regarding prior art rejection have been considered but are moot in view of the new ground(s) of rejection provided above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure. Amin et al. (U.S. 6,910,074) and Gibson et al. (U.S. 6,680,943) are other references pertinent to this application.

7. Applicant’s amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571) 272-3168. The examiner can normally be reached on Monday-Friday (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached at (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael J. Moore, Jr.
Examiner
Art Unit 2666

mjm MM



DANG TON
PRIMARY EXAMINER